

10-01-01

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification  
of this Application:☐ Class [class]☐ Subclass [class]

Prior Application

Examiner: [PRIOR EXAMINER]

Art Unit: [PRIOR ART UNIT]

**TRANSMITTAL-CONTINUATION-IN-PART APPLICATION**

Box PATENT APPLICATION

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

This is a request for filing a continuation-in-part application pursuant to 35 U.S.C. § 120 and 37 C.F.R. § 1.53(b), of pending prior application Serial No. PCT/US00/08957, filed April 4, 2000, of Randy H. Ziegler (Inventor currently of record in prior application) for COMPOSITIONS AND METHODS FOR TREATMENT OF DIABETES.

1. ☒ Enclosed is a copy of the application.
2. ☐ Enclosed is a declaration and power of attorney.
3. ☐ A declaration and power of attorney will follow.
4. ☐ Enclosed is an associate power of attorney.
5. ☒ Amend the specification by inserting before the first line the sentence:

This application is a continuation-in-part application of application Serial No. PCT/US00/08957, filed April 4, 2000, which in turn was based on and claimed priority from Provisional Application Serial No. 60/127,824 entitled COMPOSITIONS, PRODUCTS, AND METHODS FOR TREATMENT OF DIABETES, which was filed on April 4, 1999 AND which is hereby incorporated by reference in its entirety.

6. The filing fee is calculated as follows:

CALCULATION OF FEES								
ITEM		TOTAL NO. OF CLAIMS		NO. OF CLAIMS OVER BASE	LG/SM \$ ENTITY FEE		\$ AMOUNT	\$ FEE
A	TOTAL CLAIMS FEE	17	-20	0	LG=\$18 SM=\$9	\$0	0	
B	INDEPENDENT CLAIMS FEE*	10	-3	7	LG=\$80 SM=\$40	\$40	280	
C	SUBTOTAL - ADDITIONAL CLAIMS FEE (ADD FINAL COLUMN IN LINES A + B)							\$ 280
D	MULTIPLE-DEPENDENT CLAIMS FEE				LARGE ENTITY FEE = \$270 SMALL ENTITY FEE = \$135		\$ 0	
E	BASIC FEE				LARGE ENTITY FEE = \$710 SMALL ENTITY FEE = \$355		\$ 355	
F	TOTAL FILING FEE (ADD TOTALS FOR LINES C, D, AND E)							\$ 635
	*LIST INDEPENDENT CLAIMS 1, 3, 4, 6, 8, 11, 14, 15, 16, 17							

☐ A check in the amount of \$\_\_\_ to cover the filing fee is enclosed.

10/26/01 10:26:00

- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1796. A duplicate of this sheet is enclosed.
7. ☒ 5 sheet(s) of drawings are enclosed.
8. ☐ The present application claims priority from      patent application Serial No.      which was filed      under 35 U.S.C. § 119.
9. ☐ The certified copy of the priority document(s) has/have been filed in prior application Serial No.      filed     .
10. ☐ The certified copy of the priority document(s) will follow.
11. ☐ An assignment to      is enclosed herewith, along with the recordation form cover letter and check in the amount of \$40.
12. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
13. ☒ Applicant claims small entity status. See 37 CFR 1.27.
14. ☐ Information disclosure statement is enclosed with references.
15. ☒ Address all future communications to:

Stefan J. Kirchanski  
CROSBY, HEAFEY ROACH & MAY  
Professional Corporation  
1901 Avenue of the Stars, Suite 700  
Los Angeles, CA 90067  
Telephone: (310) 734-5200  
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**CORRESPONDENCE ADDRESS:**

☒ Customer Number

**000028983**



Respectfully submitted,

CROSBY, HEAFEY, ROACH & MAY

By: *Dennis S. Morris*  
Dennis S. Morris  
Registration No. 38,975  
Attorney for Applicant(s)

Date: September 26, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Randy H. Ziegler

Serial No: Not Assigned

Filed: September 26, 2001

For: COMPOSITIONS AND METHODS FOR  
TREATMENT OF DIABETES

Art Unit: Not Assigned

Examiner: Not Assigned

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EL 845470669 US

Date of Deposit: September 27, 2001

Box PATENT APPLICATION

Commissioner for Patents

Washington, D.C. 20231

Dear Sir:

I hereby certify that

- ☒ two copies of a letter of transmittal
- ☐ check in amount of \$\_\_\_ as filing fee
- ☒ patent application ( 25 page(s) of specification; 17 claim(s); 1 page(s) of abstract
- ☒ 5 sheet(s) of informal drawings
- ☐ executed Declaration and Power of Attorney
- ☐ assignment of the invention to \_\_\_
- ☒ Verified Statement (Declaration) Claiming Small Entity Status
- ☒ return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

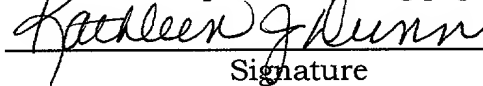
Box PATENT APPLICATION  
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Washington, D.C. 20231.

Date: September 27, 2001

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Kathleen J. Dunn

Name of person mailing papers



Signature

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September 20, 2001

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231

Re: Assertion of Small Entity Status Under § 1.27

Dear Sir or Madam:

The undersigned attorney hereby asserts that the Patent Application entitled "COMPOSITIONS AND METHODS FOR TREATMENT OF DIABETES" by Randy Ziegler filed herewith is entitled to Small Entity Status. The required inquiry to establish Small Entity (§ 1.27(a)) status has been made.

Sincerely,

CROSBY, HEAFEY, ROACH & MAY  
Professional Corporation

By Stefan J. Kirchanski  
Stefan J. Kirchanski  
Reg. No. 36,568

SJK:kd